

113TH CONGRESS
2D SESSION

H. R. 4278

To support the independence, sovereignty, and territorial integrity of Ukraine,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 2014

Mr. ROYCE (for himself and Mr. ENGEL) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To support the independence, sovereignty, and territorial
integrity of Ukraine, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Ukraine Support Act”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

- Sec. 1. Short title and table of contents.
- Sec. 2. United States policy.

- Sec. 101. Support for democratic governance and civil society in Ukraine.
- Sec. 102. Economic reform in Ukraine.
- Sec. 103. United States international programming to Ukraine and neighboring regions.
- Sec. 104. Overseas Private Investment Corporation.
- Sec. 105. Enhanced assistance for law enforcement in Ukraine.
- Sec. 106. Enhanced security cooperation among Central and Eastern European NATO member states.
- Sec. 107. United States-Ukraine security assistance.
- Sec. 108. Recovery of assets linked to corruption in Ukraine.
- Sec. 109. European Bank for Reconstruction and Development.

TITLE II—SANCTIONS PROVISIONS

- Sec. 201. Continuation in effect of sanctions with respect to the blocking of certain persons contributing to the situation in Ukraine.
- Sec. 202. Imposition of additional sanctions on persons responsible for violence or who undermine the independence, sovereignty, or territorial or economic integrity of Ukraine.
- Sec. 203. Report on certain foreign financial institutions.
- Sec. 204. Amendment to the Iran, North Korea, and Syria Nonproliferation Act.
- Sec. 205. Sense of Congress on human rights in the Russian Federation.
- Sec. 206. Certification described and submission to Congress.
- Sec. 207. Appropriate congressional committees defined.

1 **SEC. 2. UNITED STATES POLICY.**

2 It is the policy of the United States—

3 (1) to support the right of the people of
 4 Ukraine to freely determine their future, including
 5 their country's relationship with other nations and
 6 international organizations, without interference, in-
 7 timidation, or coercion by other countries;

8 (2) to support the people of Ukraine in their
 9 desire to address endemic corruption, consolidate de-
 10 mocracy, and achieve sustained prosperity;

11 (3) to support the efforts of the Government of
 12 Ukraine to bring to justice those responsible for the
 13 acts of violence against peaceful protestors and other

1 unprovoked acts of violence related to the anti-gov-
2 ernment protests that began on November 21, 2013;

3 (4) to support the efforts of the Government of
4 Ukraine to recover and return to the Ukrainian
5 state funds stolen by former President Yanukovych,
6 his family, and other current and former members
7 of the Ukrainian government, along with others le-
8 gitimately charged by government authorities with
9 similar offenses;

10 (5) to assist the Government of Ukraine in
11 preparations for the presidential election scheduled
12 for May 25, 2014, and to participate in efforts to
13 ensure that this election is conducted in accordance
14 with international standards;

15 (6) to promote democratic values, transparent
16 and accountable government institutions, and ad-
17 vance United States national security interests
18 through United States international broadcasting,
19 including the Voice of America and Radio Free Eu-
20 rope/Radio Liberty (RFE/RL), Incorporated;

21 (7) to support needed economic structural re-
22 forms in Ukraine, including in the fiscal, energy,
23 pension, and banking sectors, among others;

24 (8) to support energy diversification initiatives
25 to reduce Russian control of energy supplies to

1 Ukraine and other European countries, including
2 United States promotion of increased natural gas ex-
3 ports and energy efficiency;

4 (9) to condemn the armed intervention of the
5 Russian Federation in Ukraine, including its con-
6 tinuing political, economic, and military aggression
7 against that country;

8 (10) to work with United States allies and part-
9 ners in Europe and around the world, including at
10 the United Nations, to ensure that all nations refuse
11 to recognize the illegal annexation of Crimea by the
12 Russian Federation and reaffirm the independence,
13 sovereignty, and territorial integrity of Ukraine;

14 (11) to refuse to recognize the legitimacy of the
15 illegal referendum in Crimea on March 16, 2014, on
16 the status of that region of Ukraine, which was held
17 under conditions of occupation and coercion by Rus-
18 sian forces;

19 (12) to support the deployment of international
20 monitors to Ukraine to assess the current status of
21 its territorial integrity and the safety of all people in
22 Ukraine;

23 (13) to encourage the Government of Ukraine
24 to continue to respect and protect the rights of all
25 ethnic, religious, and linguistic minorities;

(14) to call on all Ukrainians to respect the legitimate government authorities, as well as all Ukrainian laws and the Constitution of Ukraine in all regions of Ukraine, including Crimea; and

(15) to honor and abide by its commitments undertaken pursuant to Article 5 of the North Atlantic Treaty, signed at Washington, District of Columbia, on April 4, 1949, and entered into force on August 24, 1949.

TITLE I—ASSISTANCE PROVISIONS

SEC. 101. SUPPORT FOR DEMOCRATIC GOVERNANCE AND CIVIL SOCIETY IN UKRAINE.

(a) IN GENERAL.—The President is authorized and encouraged to provide assistance to support democracy and civil society in Ukraine by undertaking the activities described in subsection (b).

(b) ACTIVITIES DESCRIBED.—The activities described in this subsection are—

(1) improving democratic governance, transparency, accountability, rule of law, and anti-corruption efforts;

(2) supporting Ukrainian efforts to foster greater unity among people and regions of the coun-

1 try, combat anti-Semitism and promote respect for
2 religious freedom;

3 (3) supporting the people and Government of
4 Ukraine in preparing to conduct and participate in
5 free and fair elections, including through domestic
6 and international election monitoring;

7 (4) assisting Ukraine in diversifying its econ-
8 omy, trade, and energy supplies, including at the na-
9 tional, regional, and local levels;

10 (5) strengthening democratic institutions and
11 political and civil society organizations; and

12 (6) expanding free and unfettered access to
13 independent media of all kinds in Ukraine and as-
14 sisting with the protection of journalists and civil so-
15 ciety activists who have been targeted for free speech
16 activities.

17 (c) AVAILABILITY OF FUNDS.—Of amounts made
18 available to carry out the Foreign Assistance Act of 1961
19 (22 U.S.C. 2151 et seq.) for fiscal year 2014, \$50,000,000
20 is authorized to be appropriated to carry out this section.

21 **SEC. 102. ECONOMIC REFORM IN UKRAINE.**

22 (a) FINDINGS.—Congress finds the following:

23 (1) The Ukrainian economy is weak and vulner-
24 able, as evidenced by short-term debt interest rates
25 as high as 15 percent, a high proportion of foreign

1 exchange-denominated government debt that will
2 mature in 2014 and 2015, a banking sector with
3 non-performing loans at the high level of 14 percent,
4 a financing gap which the Government of Ukraine
5 has estimated will amount to \$35 billion over the
6 next two years, and a large underground economy.
7 This economic condition undermines democratic
8 prospects in Ukraine.

9 (2) Years of poor economic management and
10 performance have undermined and may continue to
11 undermine political stability and unity within
12 Ukraine.

13 (3) On March 6, 2014, the House of Represent-
14 atives passed H.R. 4152, to redirect previously ap-
15 propriated funds to cover the cost of roughly \$1 bil-
16 lion in loan guarantees for Ukraine.

17 (b) STATEMENT OF POLICY.—It shall be the policy
18 of the United States to work with other countries and
19 international institutions to stabilize the Ukrainian econ-
20 omy, while promoting critically needed structural economic
21 reforms in Ukraine, including—

22 (1) cutting the massive natural gas subsidies
23 that have led to market inefficiencies;

24 (2) reducing the bloated public sector;

- 1 (3) maintaining a market-determined exchange
2 rate;
3 (4) strengthening the vulnerable banking sector;
4 and
5 (5) reducing corruption.

6 (c) SENSE OF CONGRESS.—It is the sense of Con-
7 gress that loan guarantees provided by the United States
8 for Ukraine should be used to promote government, bank-
9 ing and energy sector reform, and anti-corruption efforts
10 in Ukraine.

11 **SEC. 103. UNITED STATES INTERNATIONAL PROGRAMMING**
12 **TO UKRAINE AND NEIGHBORING REGIONS.**

13 (a) FINDINGS AND DECLARATIONS.—Congress finds
14 and declares the following:

15 (1) The Russian Government has deliberately
16 blocked the Ukrainian people's access to uncensored
17 sources of information and has provided alternative
18 news and information that is both inaccurate and in-
19 flammatory.

20 (2) United States international programming
21 exists to advance the United States interests and
22 values by presenting accurate and comprehensive
23 news and information, which is the foundation for
24 democratic governance.

1 (3) The opinions and views of the Ukrainian
2 people, especially those people located in the eastern
3 regions and Crimea, are not being accurately rep-
4 resented in Russian dominated mass media.

5 (4) Russian forces have seized more than five
6 television stations in Crimea and taken over trans-
7 missions, switching to a 24/7 Russian propaganda
8 format; this increase in programming augments the
9 already robust pro-Russian programming to
10 Ukraine.

11 (5) United States international programming
12 has the potential to combat this anti-democratic
13 propaganda.

14 (b) PROGRAMMING.—Radio Free Europe/Radio Lib-
15 erty (RFE/RL), Incorporated, and the Voice of America
16 service to Ukraine and neighboring regions shall—

17 (1) provide news and information that is acces-
18 sible, credible, and accurate;

19 (2) emphasize investigative and analytical jour-
20 nalism to highlight inconsistencies and misinforma-
21 tion provided by Russian or pro-Russian media out-
22 lets;

23 (3) prioritize programming to areas where ac-
24 cess to uncensored sources of information is limited

1 or non-existent, especially populations serviced by
2 Russian supported media outlets;

3 (4) increase the number of reporters and orga-
4 nizational presence in eastern Ukraine, especially in
5 Crimea;

6 (5) promote democratic processes, respect for
7 human rights, freedom of the press, and territorial
8 sovereignty; and

9 (6) take necessary preparatory steps to con-
10 tinue and increase programming and content serv-
11 ices to Russia.

12 (c) PROGRAMMING SURGE.—RFE/RL, Incorporated,
13 and Voice of America programming to Ukraine and neigh-
14 boring regions shall—

15 (1) prioritize programming to eastern Ukraine,
16 including Crimea, and to ethnic and linguistic Rus-
17 sian populations, as well as Tatar minorities;

18 (2) prioritize news and information that directly
19 contributes to the target audiences’ understanding of
20 political and economic developments in Ukraine, in-
21 cluding countering misinformation that may origi-
22 nate from other news outlets, especially Russian
23 supported news outlets;

24 (3) provide programming content 24 hours a
25 day, seven days a week to target populations, using

1 all available and effective distribution outlets, includ-
2 ing—

3 (A) at least 8 weekly hours of total original
4 television and video content in Ukrainian, Rus-
5 sian, and Tatar languages, not inclusive of live
6 video streaming coverage of breaking news, to
7 be distributed on satellite, digital, and through
8 regional television affiliates by the Voice of
9 America; and

10 (B) at least 14 weekly hours the total
11 audio content in Ukrainian, Russian, and Tatar
12 languages to be distributed on satellite, digital,
13 and through regional radio affiliates of RFE/
14 RL, Incorporated;

15 (4) expand the use, audience, and audience en-
16 gagement of mobile news and multimedia platforms
17 by RFE/RL, Incorporated, and the Voice of Amer-
18 ica, including through Internet-based social net-
19 working platforms; and

20 (5) partner with private sector broadcasters and
21 affiliates to seek and start co-production for new,
22 original content, when possible, to increase distribu-
23 tion.

24 (d) AUTHORIZATION OF APPROPRIATIONS.—

1 (1) IN GENERAL.—There is authorized to be
2 appropriated for fiscal year 2014, in addition to
3 funds otherwise made available for such purposes,
4 up to \$10,000,000 to carry out programming in the
5 Ukrainian, Balkan, Russian, and Tatar language
6 services of RFE/RL, Incorporated, and the Voice of
7 America, for the purpose of bolstering existing
8 United States programming to the people of Ukraine
9 and neighboring regions, and increasing program-
10 ming capacity and jamming circumvention tech-
11 nology to overcome any disruptions to service.

12 (2) OFFSET.—Section 102(a) of the Enhanced
13 Partnership with Pakistan Act of 2009 (22 U.S.C.
14 8412(a); Public Law 111–73; 123 Stat. 2068) is
15 amended by striking “\$1,500,000,000” and insert-
16 ing “\$1,490,000,000”.

17 (e) REPORT.—Not later than 15 days after the date
18 of the enactment of this Act, the Broadcasting Board of
19 Governors shall submit to the Committees on Foreign Af-
20 fairs and Appropriations of the House of Representatives
21 and the Committees on Foreign Relations and Appropria-
22 tions of the Senate a detailed report on plans to increase
23 broadcasts pursuant to subsections (a) and (b).

1 **SEC. 104. OVERSEAS PRIVATE INVESTMENT CORPORATION.**

2 It is the sense of Congress that the Overseas Private
3 Investment Corporation should prioritize investments in
4 Ukraine.

5 **SEC. 105. ENHANCED ASSISTANCE FOR LAW ENFORCEMENT**
6 **IN UKRAINE.**

7 (a) STATEMENT OF POLICY.—It shall be the policy
8 of the United States to assist Ukraine to eliminate the
9 human rights abuses associated with the Berkut forces in
10 order to foster a democratically reformed police force with
11 strong public oversight, which is critical to fostering polit-
12 ical unity and stability throughout Ukraine.

13 (b) AVAILABILITY OF FUNDS.—Of amounts made
14 available to carry out section 1207 of the National De-
15 fense Authorization Act for Fiscal Year 2012 (22 U.S.C.
16 2151 note) for fiscal year 2014, \$8,000,000 is authorized
17 to be appropriated to enhance United States efforts to as-
18 sist Ukraine to strengthen law enforcement capabilities
19 and maintain the rule of law.

20 (c) NOTIFICATION REQUIREMENT.—The congres-
21 sional notification requirements contained in section
22 1207(l) of the National Defense Authorization Act for Fis-
23 cal Year 2012 (22 U.S.C. 2151 note) shall apply to the
24 initiation of activities under a program of assistance under
25 subsection (b) to the same extent and in the same manner
26 as such congressional notification requirements apply to

1 the initiation of activities under a program of assistance
2 section 1207(b) of such Act.

3 **SEC. 106. ENHANCED SECURITY COOPERATION AMONG**
4 **CENTRAL AND EASTERN EUROPEAN NATO**
5 **MEMBER STATES.**

6 (a) IN GENERAL.—The Secretary of State, in con-
7 sultation with the heads of appropriate United States de-
8 partments and agencies, shall seek to provide enhanced
9 security cooperation with Central and Eastern European
10 North Atlantic Treaty Organization (NATO) member
11 states by undertaking the activities described in subsection
12 (b).

13 (b) ACTIVITIES DESCRIBED.—The activities de-
14 scribed in this subsection are—

15 (1) enhancing existing security cooperation, in-
16 cluding defense and military-to-military cooperation,
17 among Central and Eastern European NATO mem-
18 ber states;

19 (2) enhancing security relationships among the
20 United States, the European Union, and Central
21 and Eastern European NATO member states;

22 (3) providing defense articles, defense services,
23 and military training to Central and Eastern Euro-
24 pean NATO member states;

1 (4) expanding the scope and frequency of mili-
2 tary exercises among Central and Eastern European
3 NATO member states; and

4 (5) supporting greater reform, professionalism,
5 and capacity-building efforts within the military, in-
6 telligence, and security services in Central and East-
7 ern European NATO member states.

8 **SEC. 107. UNITED STATES-UKRAINE SECURITY ASSISTANCE.**

9 (a) FINDINGS.—Congress finds that—

10 (1) in fiscal year 2013 the United States pro-
11 vided Ukraine with nearly \$2,000,000 in assistance
12 under chapter 5 of part II of the Foreign Assistance
13 Act of 1961 (22 U.S.C. 2347 et seq.; relating to
14 International Military Education Training) and
15 nearly \$7,000,000 in assistance under section 23 of
16 the Arms Export Control Act (22 U.S.C. 2763; re-
17 lating to the Foreign Military Financing Program);
18 and

19 (2) Ukraine has been a longstanding member of
20 NATO's Partnership for Peace.

21 (b) SENSE OF CONGRESS.—It is the sense of Con-
22 gress that—

23 (1) United States assistance to Ukraine under
24 chapter 5 of part II of the Foreign Assistance Act

1 of 1961 and section 23 of the Arms Export Control
2 Act should continue;

3 (2) consistent with section 506(a) of the For-
4 eign Assistance Act of 1961 (22 U.S.C. 2318(a)),
5 the President is encouraged to draw down defense
6 articles from the stocks of the Department of De-
7 fense, in order to provide non-lethal assistance,
8 which could include communication equipment,
9 clothing, fuel and other forms of appropriate assist-
10 ance, to the Government of Ukraine; and

11 (3) the Administration should expeditiously con-
12 clude its current review of all security assistance to
13 the Government of Ukraine.

14 **SEC. 108. RECOVERY OF ASSETS LINKED TO CORRUPTION**
15 **IN UKRAINE.**

16 It is the sense of Congress that the Administration
17 should provide expedited assistance to the Government of
18 Ukraine to identify, investigate, secure, and recover assets
19 stolen from the Government of Ukraine or linked to acts
20 of corruption by former President Viktor Yanukovich,
21 members of his family, and other former or current
22 Ukrainian government officials, and their accomplices in
23 any jurisdiction through appropriate United States Gov-
24 ernment and multilateral programs, including the Depart-
25 ment of Justice's Kleptocracy Asset Recovery Initiative,

1 the Egmont Group, the Stolen Asset Recovery Initiative,
2 the Camden Asset Recovery Inter-Agency Network, and
3 the Asset Recovery Focal Point Initiative.

4 **SEC. 109. EUROPEAN BANK FOR RECONSTRUCTION AND**
5 **DEVELOPMENT.**

6 (a) FINDINGS.—The Congress finds the following:

7 (1) Article 1 of the Agreement Establishing the
8 European Bank for Reconstruction and Development
9 (EBRD) states that the EBRD should support in-
10 vestments in countries that are committed to and
11 applying the principles of multiparty democracy, plu-
12 ralism, and market economics, and the EBRD has
13 recognized that Russian “progress in the application
14 of these principles . . . has been uneven”.

15 (2) Russia received 21 percent of the invest-
16 ments made by the EBRD in 2013, which is more
17 than any other country received from the EBRD in
18 that year, and has received an inordinate ratio of in-
19 vestment from the EBRD since the 2006 Capital
20 Resources Review.

21 (b) SENSE OF THE CONGRESS.—It is the sense of
22 the Congress that the European Bank for Reconstruction
23 and Development (EBRD) should increase investments in
24 Ukraine and cease new investments in the Russian Fed-
25 eration, and the United States Government should press

1 the EBRD to support new investment in Ukraine and halt
2 consideration of new investment in Russia.

3 **TITLE II—SANCTIONS** 4 **PROVISIONS**

5 **SEC. 201. CONTINUATION IN EFFECT OF SANCTIONS WITH**
6 **RESPECT TO THE BLOCKING OF CERTAIN**
7 **PERSONS CONTRIBUTING TO THE SITUATION**
8 **IN UKRAINE.**

9 (a) IN GENERAL.—United States sanctions described
10 in subsection (b), as in effect on the day before the date
11 of the enactment of this Act, shall remain in effect until
12 the earlier of—

13 (1) the date that is 90 days after the date on
14 which the President submits to the appropriate con-
15 gressional committees the certification described in
16 subsection (a) of section 206 in accordance with sub-
17 section (b) of such section; or

18 (2) the date that is 30 days after any date sub-
19 sequent to January 1, 2020, on which the President
20 submits to the appropriate congressional committees
21 in writing a determination that the termination of
22 such sanctions imposed is in the vital national secu-
23 rity interests of the United States.

1 (b) SANCTIONS DESCRIBED.—United States sanc-
2 tions described in this subsection are sanctions imposed
3 under the following executive orders:

4 (1) Executive Order 13660 (March 6, 2014; re-
5 lating to blocking property of certain persons con-
6 tributing to the situation in Ukraine).

7 (2) Executive Order 13661 (March 16, 2014;
8 relating to blocking property of additional persons
9 contributing to the situation in Ukraine).

10 (3) Executive Order 13662 (March 20, 2014;
11 relating to blocking property of additional persons
12 contributing to the situation in Ukraine).

13 **SEC. 202. IMPOSITION OF ADDITIONAL SANCTIONS ON PER-**
14 **SONS RESPONSIBLE FOR VIOLENCE OR WHO**
15 **UNDERMINE THE INDEPENDENCE, SOV-**
16 **EREIGNTY, OR TERRITORIAL OR ECONOMIC**
17 **INTEGRITY OF UKRAINE.**

18 (a) STATEMENT OF POLICY.—It shall be the policy
19 of the United States to impose sanctions with respect to
20 those individuals within and outside of the Government
21 of the Russian Federation whom the President determines
22 wields significant influence over the formation and imple-
23 mentation of Russian foreign policy, in particular with re-
24 spect to the violation of Ukraine’s sovereignty, democracy,
25 and territorial integrity.

1 (b) CRITERIA FOR IMPOSITION OF SANCTIONS.—A
2 foreign person or an alien is subject to sanctions under
3 subsection (c) in accordance with the provisions of such
4 subsection if the foreign person or alien, on or after No-
5 vember 21, 2013—

6 (1) is knowingly responsible for or complicit in,
7 or engaged in, directly or indirectly—

8 (A) actions that significantly undermine
9 democratic processes or institutions in Ukraine;

10 (B) actions that significantly threaten the
11 peace, security, stability, sovereignty, or terri-
12 torial integrity of Ukraine;

13 (C) acts of significant corruption in
14 Ukraine, or the seizure or expropriation of sig-
15 nificant economic assets from Ukraine, includ-
16 ing the expropriation of private or state assets
17 for personal gain, or the facilitation or transfer
18 of the proceeds of such expropriation to foreign
19 jurisdictions; or

20 (D) the commission of serious human
21 rights abuses against citizens of Ukraine or citi-
22 zens of the Russian Federation;

23 (2) is a current or former senior official of the
24 Government of the Russian Federation who has en-
25 gaged in any activity described in paragraph (1);

1 (3) operates in the arms or related materiel sec-
2 tor in the Russian Federation that has engaged in
3 any activity described in paragraph (1);

4 (4) is a current or former leader of an entity
5 that has, or whose members have, knowingly en-
6 gaged in any activity described in paragraph (1),
7 (2), or (3) or of an entity whose property and inter-
8 ests in property are blocked pursuant to this section;

9 (5) has knowingly materially assisted, spon-
10 sored, or provided financial, material, or techno-
11 logical support for, or goods or services to or in sup-
12 port of, any activity described in paragraph (1), (2),
13 or (3) or of any person whose property and interests
14 in property are blocked pursuant to this section; or

15 (6) is owned or controlled by, or has acted or
16 purported to act for or on behalf of, directly or indi-
17 rectly, any person whose property and interests in
18 property are blocked pursuant to this section.

19 (c) SANCTIONS DESCRIBED.—

20 (1) IN GENERAL.—The sanctions described in
21 this subsection are the following:

22 (A) ASSET BLOCKING.—With respect to a
23 foreign person who the President, acting
24 through the Secretary of the Treasury and in
25 consultation with the Secretary of State (or

1 their designees), determines meets the require-
2 ments described in subsection (b), the Presi-
3 dent, acting through the Secretary of the
4 Treasury and in consultation with the Secretary
5 of State (or their designees), shall to the extent
6 necessary investigate, block during the pend-
7 ency of an investigation, regulate, direct and
8 compel, nullify, void, prevent or prohibit, any
9 acquisition, holding, withholding, use, transfer,
10 withdrawal, transportation, or exportation of, or
11 dealing in, or exercising any right, power, or
12 privilege with respect to, or transactions involv-
13 ing, any property in which any foreign country
14 or a national thereof has any interest by any
15 person, or with respect to any property, subject
16 to the jurisdiction of the United States if such
17 property and interests in property are in the
18 United States, come within the United States,
19 or are or come within the possession or control
20 of a United States person.

21 (B) ALIENS INELIGIBLE FOR VISAS, AD-
22 MISSION, OR PAROLE.—

23 (i) VISAS, ADMISSION, OR PAROLE.—

24 An alien who the Secretary of State or the
25 Secretary of Homeland Security (or a des-

1 ignee of one of such Secretaries) knows, or
2 has reason to believe, meets any of the cri-
3 teria described in subsection (b) is—

4 (I) inadmissible to the United
5 States;

6 (II) ineligible to receive a visa or
7 other documentation to enter the
8 United States; and

9 (III) otherwise ineligible to be
10 admitted or paroled into the United
11 States or to receive any other benefit
12 under the Immigration and Nation-
13 ality Act (8 U.S.C. 1101 et seq.).

14 (ii) CURRENT VISAS REVOKED.—

15 (I) IN GENERAL.—The issuing
16 consular officer, the Secretary of
17 State, or the Secretary of Homeland
18 Security (or a designee of one of such
19 Secretaries) shall revoke any visa or
20 other entry documentation issued to
21 an alien who meets any of the criteria
22 described in subsection (b), regardless
23 of when issued.

24 (II) JUDICIAL REVIEW.—Not-
25 withstanding any other provision of

1 law, including section 2241 of title 28,
2 United States Code, or any other ha-
3 beas corpus provision, and sections
4 1361 and 1651 of such title, no court
5 shall have jurisdiction to review a rev-
6 ocation decision under this clause, and
7 no court shall have jurisdiction to
8 hear any claim arising from, or any
9 challenge to, such a revocation.

10 (III) EFFECT OF REVOCATION.—

11 A revocation under subclause (I)—

12 (aa) shall take effect imme-
13 diately; and

14 (bb) shall automatically can-
15 cel any other valid visa or entry
16 documentation that is in the
17 alien's possession.

18 (2) PENALTIES.—A foreign person that vio-
19 lates, attempts to violate, conspires to violate, or
20 causes a violation of paragraph (1)(A) or any regu-
21 lation, license, or order issued to carry out para-
22 graph (1)(A) shall be subject to the penalties set
23 forth in subsections (b) and (c) of section 206 of the
24 International Emergency Economic Powers Act (50
25 U.S.C. 1705) to the same extent as a person that

1 commits an unlawful act described in subsection (a)
2 of that section.

3 (3) REGULATORY AUTHORITY.—The President
4 shall, not later than 90 days after the date of the
5 enactment of this Act, promulgate regulations as
6 necessary for the implementation of this section.

7 (4) EXCEPTION TO COMPLY WITH UNITED NA-
8 TIONS HEADQUARTERS AGREEMENT.—Sanctions
9 under paragraph (1)(B) shall not apply to an alien
10 if admitting the alien into the United States is nec-
11 essary to permit the United States to comply with
12 the Agreement regarding the Headquarters of the
13 United Nations, signed at Lake Success June 26,
14 1947, and entered into force November 21, 1947,
15 between the United Nations and the United States,
16 or other applicable international obligations.

17 (5) RULE OF CONSTRUCTION.—Nothing in this
18 section shall be construed to limit the authority of
19 the President pursuant to the International Emer-
20 gency Economic Powers Act (50 U.S.C. 1701 et
21 seq.).

22 (d) WAIVER.—The President may waive the applica-
23 tion of sanctions under subsection (c) with respect to a
24 foreign person or alien if the President—

1 (1) determines that such a waiver is vital to the
2 national interest of the United States; and

3 (2) not less than 15 days after the waiver takes
4 effect, submits to the appropriate congressional com-
5 mittees a notice of the waiver and a justification for
6 such waiver.

7 (e) REPORT.—

8 (1) REPORT REQUIRED.—

9 (A) IN GENERAL.—Not later than 30 days
10 after the date of the enactment of this Act, and
11 every 180 days thereafter for a period not to
12 exceed 2 years, the Secretary of State, in con-
13 sultation with the Secretary of the Treasury,
14 shall submit to the appropriate congressional
15 committees a detailed report with respect to
16 whether senior foreign political figures of the
17 Russian Federation are responsible for engag-
18 ing in activities described in subsection (b).

19 (B) FORM.—The report required by sub-
20 paragraph (A) shall be submitted in unclassi-
21 fied form but may contain a classified annex.

22 (2) REQUESTS BY CHAIRPERSON AND RANKING
23 MEMBER OF APPROPRIATE CONGRESSIONAL COMMIT-
24 TEES.—

1 (A) IN GENERAL.—Not later than 120
2 days after receiving a written request from the
3 chairperson and ranking member of one of the
4 appropriate congressional committees with re-
5 spect to whether a senior foreign political figure
6 of the Russian Federation is responsible for en-
7 gaging in activities described in subsection (b),
8 the President shall submit a response to the
9 chairperson and ranking member of the com-
10 mittee which made the request with respect to
11 the status of the person.

12 (B) FORM.—The President may submit a
13 response required by subparagraph (A) in clas-
14 sified form if the President determines that it
15 is necessary for the national security interests
16 of the United States to do so.

17 (3) DEFINITION.—In this subsection, the term
18 “appropriate congressional committees” means—

19 (A) the Committee on Foreign Affairs and
20 the Committee on Financial Services of the
21 House of Representatives; and

22 (B) the Committee on Foreign Relations
23 and the Committee on Banking, Housing, and
24 Urban Affairs of the Senate.

25 (f) DEFINITIONS.—In this section:

1 (1) ADMITTED.—The term “admitted” has the
2 meaning given such term in section 101(a)(13)(A) of
3 the Immigration and Nationality Act (8 U.S.C.
4 1101(a)(13)(A)).

5 (2) ALIEN.—The term “alien” has the meaning
6 given such term in section 101(a)(3) of the Immi-
7 gration and Nationality Act (8 U.S.C. 1101(a)(3)).

8 (3) FINANCIAL INSTITUTION.—The term “fi-
9 nancial institution” has the meaning given that term
10 in section 5312 of title 31, United States Code.

11 (4) FOREIGN PERSON.—The term “foreign per-
12 son” means—

13 (A) an individual who is not a United
14 States person or an alien lawfully admitted for
15 permanent residence into the United States;

16 (B) a corporation, partnership, or other
17 nongovernmental entity which is not a United
18 States person; or

19 (C) any representative, agent or instru-
20 mentality of, or an individual working on behalf
21 of a foreign government.

22 (5) PAROLED.—The term “paroled” means pa-
23 roled into the United States under section 212(d)(5)
24 of the Immigration and Nationality Act (8 U.S.C.
25 1182(d)(5)).

1 (6) SENIOR FOREIGN POLITICAL FIGURE.—The
2 term “senior foreign political figure” means—

3 (A) a current or former—

4 (i) senior official in the executive, leg-
5 islative, administrative, military, or judicial
6 branches of a foreign government (whether
7 elected or not);

8 (ii) senior official of a major foreign
9 political party; or

10 (iii) senior executive of a foreign-gov-
11 ernment-owned commercial enterprise;

12 (B) a corporation, business, or other entity
13 that has been formed by, or for the benefit of,
14 any such individual;

15 (C) an immediate family member (includ-
16 ing spouses, parents, siblings, children, and a
17 spouse’s parents and siblings) of any such indi-
18 vidual; or

19 (D) a person who is widely and publicly
20 known to be a close associate of such individual.

21 (7) UNITED STATES PERSON.—The term
22 “United States person” means—

23 (A) a United States citizen or an alien law-
24 fully admitted for permanent residence to the
25 United States; or

1 (B) an entity organized under the laws of
2 the United States or of any jurisdiction within
3 the United States, including a foreign branch of
4 such an entity.

5 (g) TERMINATION.—This section and any sanction
6 imposed by this section shall remain in effect until the
7 earlier of—

8 (1) the date that is 90 days after the date on
9 which the President submits to the appropriate con-
10 gressional committees the certification described in
11 subsection (a) of section 206 in accordance with sub-
12 section (b) of such section; or

13 (2) the date that is 30 days after any date sub-
14 sequent to January 1, 2020, on which the President
15 submits to the appropriate congressional committees
16 in writing a determination that the termination of
17 this section and the sanctions imposed by this sec-
18 tion is in the vital national security interests of the
19 United States.

20 **SEC. 203. REPORT ON CERTAIN FOREIGN FINANCIAL INSTI-**
21 **TUTIONS.**

22 (a) FINDINGS.—Congress finds the following:

23 (1) On February 26, 2014, the Department of
24 the Treasury’s Financial Crimes Enforcement Net-
25 work advised United States financial institutions of

1 their responsibility to take reasonable, risk-based
2 steps regarding the potential suspicious movement of
3 assets related to Viktor Yanukovych departing Kyiv
4 and abdicating his responsibilities and other senior
5 officials resigning from their positions or departing
6 Kyiv.

7 (2) United States financial institutions are re-
8 quired to apply enhanced scrutiny to private banking
9 accounts held by or on behalf of senior foreign polit-
10 ical figures and to monitor transactions that could
11 potentially represent misappropriated or diverted
12 state assets, the proceeds of bribery or other illegal
13 payments, or other public corruption proceeds.

14 (3) On March 3, 2014, the Government of
15 Ukraine announced that it had initiated criminal
16 proceedings against a number of former Ukrainian
17 officials or close associates of former Ukrainian offi-
18 cials.

19 (4) On March 5, 2014, the European Union,
20 based on information from Ukraine's Prosecutor
21 General, issued a Council Regulation requiring the
22 European Union to freeze the funds and economic
23 resources of various former Ukrainian officials and
24 their close associates.

1 (5) The Government of Canada has taken simi-
2 lar action against the same individuals.

3 (6) The measures being taken against these
4 former Ukrainian officials and their close associates
5 increase the risk that they will seek to move their
6 assets in a deceptive fashion.

7 (7) Foreign financial institutions should apply
8 similar, enhanced due-diligence and reporting re-
9 quirements.

10 (8) The United States has a strong interest in
11 seeing the international financial system protected
12 from illicit financial activity, including money laun-
13 dering, terrorism and proliferation financing,
14 transnational organized crime, and the misappro-
15 priation of state assets, and international sanctions
16 evasion, among others.

17 (9) The Department of the Treasury possesses
18 a range of authorities to insulate the United States
19 financial system from entities or jurisdictions that
20 pose an illicit financing risk.

21 (b) STATEMENT OF POLICY.—It shall be the policy
22 of the United States to use all of its regulatory and statu-
23 tory authorities to closely scrutinize all foreign financial
24 institutions, including those in the Russian Federation,
25 that may be complicit in enabling foreign persons and

1 transnational criminal enterprises to evade or otherwise
2 circumvent United States and international sanctions,
3 launder the proceeds of criminal activity, finance acts of
4 terrorism and the proliferation of weapons of mass de-
5 struction, or any other illicit activity that presents risks
6 and vulnerabilities to the United States financial system.

7 (c) REPORT.—

8 (1) IN GENERAL.—Not later than 30 days after
9 the date of the enactment of this Act, and every 180
10 days thereafter for a period not to exceed 2 years,
11 the Secretary of State and the Secretary of the
12 Treasury shall jointly submit to the appropriate con-
13 gressional committees a report on—

14 (A) foreign financial institutions that are
15 in direct or indirect control of Government of
16 Ukraine state-owned or controlled assets with-
17 out the knowledge or approval of the Govern-
18 ment of Ukraine;

19 (B) foreign financial institutions that may
20 be complicit in illicit financial activity, including
21 money laundering, terrorism and proliferation
22 financing, transnational organized crime, mis-
23 appropriation of state assets, or otherwise en-
24 gaged in any activity prohibited under United
25 States law that are—

1 (i) organized under the laws of the
2 Russian Federation; or

3 (ii) owned or controlled by a foreign
4 person described in section 202(b); and

5 (C) foreign financial institutions that are
6 directly or indirectly assisting or otherwise aid-
7 ing the violation of Ukrainian sovereignty, inde-
8 pendence, and territorial integrity, including,
9 the Crimea.

10 (2) FORM.—The report required to be sub-
11 mitted under this subsection shall be submitted in
12 an unclassified form, to the extent appropriate, but
13 may include a classified annex.

14 **SEC. 204. AMENDMENT TO THE IRAN, NORTH KOREA, AND**
15 **SYRIA NONPROLIFERATION ACT.**

16 (a) FINDINGS.—Congress finds the following:

17 (1) Iran continues its longstanding effort to ob-
18 tain banned components for its nuclear and missile
19 programs in violation of its obligations under succes-
20 sive United Nations Security Council Resolutions.

21 (2) Russian entities, including Rosoboronexport,
22 have been sanctioned with respect to proliferation
23 activities, particularly sanctions under the Iran,
24 North Korea, and Syria Nonproliferation Act (Pub-
25 lic Law 106–178; 50 U.S.C. 1701 note).

1 (3) The Department of State must expedi-
2 tiously restore the deterrent effect of the Iran,
3 North Korea, and Syria Nonproliferation Act by
4 fully applying and enforcing such Act.

5 (b) AMENDMENT.—Section 2 of the Iran, North
6 Korea, and Syria Nonproliferation Act (Public Law 106–
7 178; 50 U.S.C. 1701 note) is amended by adding at the
8 end the following:

9 “(f) PLAN TO EXPEDITE REPORTS AND SANCTIONS
10 UNDER THIS ACT.—Not later than 30 days after the date
11 of the enactment of the Ukraine Support Act, the Presi-
12 dent shall submit to the Committee on Foreign Affairs of
13 the House of Representatives and the Committee on For-
14 eign Relations in the Senate, a plan, to include specific
15 timetables, to expedite the implementation of this Act with
16 respect to submission of reports required under subsection
17 (a) and the application of measures to certain foreign per-
18 sons under section 3.”.

19 **SEC. 205. SENSE OF CONGRESS ON HUMAN RIGHTS IN THE**
20 **RUSSIAN FEDERATION.**

21 It is the sense of Congress that the President should
22 greatly expand the list of 18 Russian officials and others
23 published on April 12, 2013, who were engaged in actions
24 described in section 404 of the Sergei Magnitsky Rule of
25 Law Accountability Act of 2012 (title IV of Public Law

1 112–208; 22 U.S.C. 5811) regarding the death of Sergei
2 Magnitsky, illegal activity by officials of the Government
3 of the Russian Federation, or violations of human rights
4 and other offenses in Russia.

5 **SEC. 206. CERTIFICATION DESCRIBED AND SUBMISSION TO**
6 **CONGRESS.**

7 (a) IN GENERAL.—A certification described in this
8 section is a certification of the President to Congress that
9 Ukrainian sovereignty, independence, and territorial integ-
10 rity is not being violated by the Russian Federation or
11 any other state actor.

12 (b) SUBMISSION TO CONGRESS.—

13 (1) IN GENERAL.—The President shall submit
14 the certification described in subsection (a) to the
15 appropriate congressional committees in writing and
16 shall include a justification for the certification.

17 (2) FORM OF CERTIFICATION.—The certifi-
18 cation described in subsection (a) shall be submitted
19 in unclassified form but may contain a classified
20 annex.

21 **SEC. 207. APPROPRIATE CONGRESSIONAL COMMITTEES**
22 **DEFINED.**

23 Except as otherwise provided, in this title the term
24 “appropriate congressional committees” means—

1 (1) the Committee on Foreign Affairs, the
2 Committee on Financial Services, the Committee on
3 Ways and Means, and the Committee on the Judici-
4 ary of the House of Representatives; and

5 (2) Committee on Foreign Relations, the Com-
6 mittee on Banking, Housing, and Urban Affairs,
7 and the Committee on the Judiciary of the Senate.

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